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Attorney Docket Number: 24852-501 CIP Date of Deposit: July 25, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PPLICANTS: Miller and Richon

CONFIRMATION NUMBER:

8627

SERIAL NUMBER:

10/600,132

EXAMINER: Yevgeny Valenrod

FILING DATE:

June 19, 2003

ART UNIT:

1621

FOR: POLYMORPHS OF SUBEROYLANILIDE HYDROXAMIC ACID

## MAIL STOP AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following:

- 1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
- 2. Modified Form 1449/PTO (4 pages), in duplicate;
- 3. Cited References A24-A32; B14-B16; C84-C138; and
- 4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (212) 935-3000.

The Commissioner is authorized to charge any fees that may be due to the undersigned's account, Deposit Account No. 50-0311 Reference No. 24852-501 CIP. Please address all correspondence to Customer No. 35437. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Dated: July 25, 2006

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## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby makes of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. In accordance with MPEP §609(III)(A)(2), copies of the cited U.S. patents and U.S. publications are not required.

This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-identified application. Accordingly, no fee or certification is believed required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims. It is also respectfully requested that the Examiner initial, sign and date, and return a copy of the signed modified Form PTO-1449 with the next U.S. PTO communication, to evidence that the cited information has been fully considered by the U.S. Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Applicants: Miller and Richon Attorney Docket No.: 24852-501 CIP

U.S.S.N.: 10/600,132

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The order of presentation of the references should not be construed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 24852-501 CIP, Customer No. 35437.

Respectfully submitted,

Dated: July 25, 2006

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**SUPPLEMENTAL INFORMATION DISCLOSURE** 

STATEMENT BY APPLICANT

Filing Date	06/19/03	
First Named Inventor	Miller	
Group Art Unit / Conf. No.:	1621 / 8627	
Examiner Name	Yevgeny Valenrod	
Attorney Docket Number	24852-501 CIP	

10/600,132

(use as many sheets as necessary)

			U.S.	PATENT DOCUMENTS	-		
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date
	A24*	4,690,918	09/01/87	Beppu, et al.			
	A25*	5,654,333	08/05/97	The United States of America as represented by the Department of Health and Human Services			
·	A26*	6,239,176	05/29/01	Beacon Laboratories, Inc. et al.			· · · · · · · · · · · · · · · · · · ·
	A27*	6,262,116	07/17/01	Sloan-Kettering Institute for Cancer Research			
	A28*	6,451,334	09/17/02	Perrine			
	A29*	6,495,719	12/17/02	CircaGen Pharmaceutical		·	
	A30*	2003/0114525	06/19/03	Kammer, et al.			
	A31*	2004/0132643	07/08/04	Fojo, et al.			
	A32*	2004/0167184	08/26/04	Wiech, et al.			

Application Number

				FOREIGN PATENT DOCUMENTS			
Exam Initials	Cite No.	Foreig Docun Office	n Patent nent Number	Name of Patentee(s) or Applicant(s)  Date of Publication		blication English Yes No	
	B14*	wo	98/39965	Beacon Laboratories, LLC	09/17/98	Х	
	B15*	wo	02/15921	The Government of the United States of America	02/28/02	×	
	B16*	wo	02/055017	Wake Forest University	07/18/02	Х	

	NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.	
	C84*	"Aton Pharma, Inc. Announces Initiation of Two Phase II Trials to Evaluate Efficacy of HDAC Inhibitor SAHA", October 30, 2002.	
	C85*	"Aton Pharma, Inc. Announces Phase I Clinical Trial of SAHA in Advanced Leukemias", July 1, 2003.	
	C86*	"Aton Pharma, Inc. Appoints Judy H. Chiao, M.D., as Vice President, Oncology Clinical Research and Development", September 20, 2002.	

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C88	"Aton Pharma, Inc. Presents Phase I Trial Data on Anti-Cancer Agent SAHA at EORTC/NCI/AACR Symposium", November 21, 2002.
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<sup>\*</sup>a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 10/650,025, filed August 26, 2003, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.